

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHRISTOPHER O'NEAL)	
PATTERSON-BEY,)	
)	
Petitioner,)	
)	
v.)	1:14CV9
)	
FRANK PERRY,)	
)	
Respondent.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on January 10, 2014, was served on the parties in this action. Plaintiff filed timely Objections (Doc. 4) to the Recommendation.

The court has reviewed the portions of the United States Magistrate Judge's Recommendation to which Plaintiff has objected and has conducted a *de novo* determination. The court finds that the objections do not change the substance of the Recommendation (Doc. 2), which is affirmed and adopted.

IT IS THEREFORE ORDERED AND ADJUDGED that this action is filed but then DISMISSED *sua sponte* WITHOUT PREJUDICE to Petitioner filing a new petition which corrects the defects of the current Petition.

/s/ Thomas D. Schroeder
United States District Judge

February 10, 2014